IOWA DEPARTMENT OF EDUCATION DATA ACCESS AND MANAGEMENT POLICY STATEMENT FOR THE IOWA STUDENT IDENTIFICATION/LOCATOR SYSTEM AND PROJECT EASIER STUDENT RECORDS

Introduction/Background

This policy statement pertains to two components of Project EASIER (Electronic Access System for Iowa Education Records): the EASIER data reporting/database containing individual student records that will be used for the purpose of collecting data needed for state and federal reporting including the federal *No Child Left Behind* Act; and the Iowa Student Identification/Locator System.

Both the EASIER data reporting/database and the Student Identification/Locator System are managed by the Iowa Department of Education (DE) in accordance with state and federal laws. The Family Educational Rights and Privacy Act of 1974, as amended (FERPA, 34 CFR Part 99), the Individuals with Disabilities Education Act (IDEA, 34 CFR §§ 300.127 and 300.560-300.576), and Iowa statutes guard the confidentiality and access to students' educational records. All of these laws and policies are essential to maintaining the confidentiality of student records within the data reporting/database. This policy statement contains information about the procedures that will be used to follow existing laws and ensure the confidentiality of student records maintained in the data reporting/database and the Student Identification/Locator System. It does not expand or in any way change the allowable uses by staff of these systems or the availability of the student records to any other educator or member of the public.

As established by the Iowa Department of Education, the mission of Project EASIER is to "reduce data burden, encourage better decision-making by establishing and maintaining a cost-effective method of accessing and transferring accurate and timely education information among school districts, postsecondary institutions and the Iowa Department of Education. Underlying principles of the project include a commitment toward reduction of paper-based reporting, building on existing technologies available to schools, a commitment toward the elimination of paper-based college transcripts, the voluntary adoption of a common basis for facilitating meaningful information exchange between appropriate parties, and greater security of confidential student information."

The EASIER data reporting/database will contain data on all students in public schools in prekindergarten and kindergarten programs, grades one through twelve, and all students receiving special education and related services through age 21 in a public school system or private school. The EASIER data reporting/database may also contain records from nonpublic schools if they choose to utilize either system. The database will maintain minimal data about student participation in state and federal programs for which reporting is required, including information about English language learners and students in migrant, Title I, and career/technology (Perkin's vocational) education. Through the use of a unique state student identifier, links to the existing statewide special education and migrant databases will be used to minimize redundant data collection. Assessment data will be linkable from a limited database provided by the Iowa Testing Program.

The Iowa Student Identification/Locator System contains a selected set of data about individual students that will allow for the assignment of a unique student identifier and that provides a district administrator with the capacity to locate the identifier of a student who has transferred into his/her district from another district within Iowa. The goal of this system is to maintain a unique identifier for every Iowa student such that: 1) only one student is ever assigned a particular number; 2) once a student is assigned a number, that number is always associated with that student throughout his or her educational career or until he or she leaves the state; and 3) a student is only assigned one number so that the student is not duplicated in the EASIER database.

The EASIER data reporting/database and the Iowa Student Identification/Locator System are managed by staff in the Bureau of Planning, Research and Evaluation, within the Division of Financial and Information Services of the DE. The bureau chief is the designated authority to establish and maintain a system of data protection for the data reporting/database in accordance with the Family Educational Rights and Privacy Act and other relevant state and federal laws and regulations.

Beginning with the 2004-05 school year, all public school districts must submit required information electronically through the use of individual student records and each record submitted must contain a unique student identifier.

Guiding Principles

The following principles have been used in establishing a Data Access and Management Policy:
- Student information is a valuable asset of the Iowa Department of Education and should be treated as such;
- The Iowa Department of Education manages student information under its control throughout its life cycle, from inception to appropriate destruction;
- The Iowa Department of Education is responsible for controlling access to and use of student information associated with EASIER;
- The Iowa Department of Education is responsible for reviewing and updating policies and regulations covering confidential student information and ensuring that its activities comply with state and federal law; and
- The Iowa Department of Education is responsible for communicating its data collection practices.

Definitions and Background Information Related to this Policy

Iowa adheres to the confidentiality requirements of both federal and state laws, including but not limited to the Family Educational Rights and Privacy Act, the Individuals with Disabilities Education Act (IDEA), the Protection of Pupil Rights Amendment (PPRA) and the National School Lunch Act. The following definitions are derived from these laws and other related documents that are relevant to the implementation of the DE's

Data Access and Management Policies associated with the EASIER data reporting/database and the Student Identification/Locator System.

Privacy refers to an individual's right to freedom from intrusion due to disclosure of personally identifiable information without parental consent.

Confidentiality refers to an agency's obligation not to disclose or transmit information about individual students to unauthorized parties. Confidentiality consists of the measures used by an authorized agency to protect how personally identifiable information is collected and maintained and when consent by the student or his or her parent/guardian is required to release information.

Personally identifiable information generally includes, but is not limited to: the student's name; the name of the student's parent/guardian; the address of the student or student's family; a personal identifier, such as the state student identifier; personal characteristics or other information that would make the student's identity easily traceable. A small set of this information is essential for assigning identifiers and for identifying students who have transferred from another district within the state or who have returned to the state who already have identifiers. This information will be maintained securely in the Iowa Student Identification/Locator System.

Disclosure means to permit access to, revealing, releasing, transferring, or otherwise communicate personally identifiable information contained in education records to any party, by any means, including oral, written, or electronic means.

Access means to view, print, download, copy, retrieve data from a computer, computer system, or computer network.

Confidential data means information that would tend, by itself or with other information, to identify particular person(s). Confidential data includes information which is intended for the use of a particular person/group and whose unauthorized disclosure could be prejudicial to the individual it identifies.

Protections

To protect confidentiality of the individual student information and prevent unauthorized disclosure of data, the Iowa Department of Education has established the following policies and/or practices:

<u>Limit Access to the Student Identification/Locator System</u>

- ➢ District and School Personnel
  The superintendent of a public school district, appropriate administrator in a nonpublic school, or director of special education in an area education agency (AEA) is responsible for authorizing access to the Student Identification/Locator System. The superintendent and each staff member authorized by the superintendent will be assigned a unique password and login. The level of access, building specific or district wide, to the Student Identification/Locator System will be assigned by the superintendent and managed by the DE through the login and password of the user. An individual will have access to the system upon signing an assurance statement, having the signed approval of the superintendent, and providing the assurance statement to the DE. The assurance statement must be on file in the DE prior to issuance of a password/ID by the Department. Passwords will expire on a regular basis. (The expiration period has not been established as of the release date of this document.)

- ➢ District Access Through Batch Processing or Individual Student Lookup
  The Student Identification/Locator System will allow districts to upload a batch file of students for their district, download from the identifier system a batch file of students previously submitted from their district, create a student ID on-line, or use the Query Student Locator Database utility to search for individual students throughout the state. For the purposes of assigning an ID, districts will not be allowed to view or download batch files uploaded by other districts. District staff may only search for students for the purpose of assigning or locating a unique identifier.

- ➢ Department of Education Staff Access
  Only a limited number of Department of Education staff have access to the Student Identification/Locator System and to the EASIER student records. Any departmental member assigned responsibilities must sign an assurance statement regarding their use and the nondisclosure of confidential information. Examples of staff having access are the network administrator and database administrator from the Information Technology Services (ITS) Bureau, and educational program consultants in the Bureau of Planning Research and Evaluation that work directly with districts in implementing and supporting the Student Identification/Locator System and the EASIER data reporting/database. The level of access to the system, selected districts/buildings or all records, will depend upon the staff member's responsibility. Other departmental staff will not have access to the Student Identification/Locator System nor to EASIER databases.

- ➢ Public Access
  The general public will not have access to the system.

- ➢ Legislative Access
  The legislature will not have access to the system.

➢ Federal Government
Federal agencies will not have access to this system.

➢ Access Exceptions
Under this Policy, no private or confidential data will be released except under the following circumstances as stated in 34 CFR Part 99 Final Regulations for FERPA:

1. To teachers and officials of the district in which the student is enrolled when the determination has been made that there are legitimate educational interests, under Section 99.31(a)(1).
2. To school and district personnel when a student is seeking to enroll, under Section 99.31(a)(2).
3. To comply with a lawfully issued subpoena or court order, under Section 99.31(a)(9)(i).
4. To educational officials in connection with an audit or evaluation of a federal or state supported education program, under Section 99.32(c)(3).
5. To appropriate parties in connection with an emergency if such knowledge is necessary to protect the health and safety of the student or other individuals, under Section 99.36(a). In cases of health or safety emergency, the request for release must first be directed to the school district that owns the data. The data reporting/database manager, under Section 99.36(a), may also convene a committee to evaluate the request to determine whether or not the person who would receive the information is in a position to deal with the emergency and the extent to which time is of the essence.
6. To researchers whose proposals are approved by the data reporting/database manager, when a clear legitimate educational interest is established, provided that personally identifiable information if discovered is not disclosed to anyone other than the initiator of the request and the data reporting/database manager. A determination of legitimate educational interest is based in part on whether sharing information on a specific person would unfavorably affect that individual's ability to learn and function in the classroom. [Section 99.31(a)(6)]

Data will be disclosed only on the conditions that: (1) the party to whom the data are released does not disclose the information to any third party without the prior written consent of the data reporting/database manager, the company who provided the student assessment data (if assessment data are being disclosed), or the school district that owns the data; (2) the data are protected in a manner that does not permit the personal identification of an individual by anyone except the party referenced in the disclosure; and (3) the data are destroyed when no longer needed for the purposes under which the disclosure was granted.

The chief of the Bureau of Planning, Research and Evaluation will account to the administrator of the Division of Financial and Information Services and the

director of the Department of Education for all disclosures or requests for disclosures. This includes keeping a list of the data, nature, and purposes of the disclosure, and to whom the disclosure was made.

<u>System Security</u>
The Student Identification/Locator System database server will be maintained in a locked server room in the ITS Bureau at the Iowa Department of Education. The ITS Bureau administrator and ITS staff will monitor security notices affecting the system software and will maintain the current software patches for the system components housed at the Iowa Department of Education. ITS Bureau staff will monitor the access logs for the database for activity in violation of the Student Data Privacy and Management Policy.

A web server used by district personnel to access the identifier and for reporting through the EASIER data reporting/database is located at Information Technology Enterprise (ITE) at the Department of Administrative Services. The ITS Bureau administrator and ITS staff will work closely with the Information Technology Enterprise at the Department of Administrative Services to ensure appropriate firewall protection and intrusion detection efforts are in place for the system components housed at ITE. The ITS Bureau administrator and ITS staff will monitor security notices affecting the system software and will work with ITE staff to ensure that the current software patches are in place for the system components located at the Information Technology Enterprise, Department of Administrative Services.

<u>Statistical Security</u>
The EASIER data reporting/database system will be used to produce summary reports from individual data that relate to groups of students, rather than to single individuals. It will also be linked to other databases to produce summary reports. While it may seem that the use of anonymous aggregated data poses little threat to confidentiality, there are some cases where populations may include only a few individuals. Statistical disclosure is the risk that arises when a population is so narrowly defined that tabulations are apt to produce a reported number small enough to permit the identification of a single individual. In such cases, the chief of the Bureau of Planning, Research and Evaluation will apply ***statistical cutoff procedures*** to ensure that confidentiality is maintained. It is the DE's intent to avoid the possibility of inadvertently reporting personally identifiable information about any student.

Data Use and Release

<u>State and Federal Reporting</u>
A key purpose of the EASIER data reporting/database is to provide access to statistical information that improves the education-related decisions of teachers, administrators, policymakers, parents, and other education stakeholders as well as the general public. Private or confidential data on an individual will not be created, collected, stored, used, maintained, or disseminated by the data reporting/database in violation of federal or state law. Also private or confidential data will not be used for any purpose other than those already stated in the data dictionary for the data reporting/database or by agreement with

companies that provide student assessment data. If the DE enters into a contract with a private individual or third party to perform any of the data reporting/database manager functions, that agreement shall require that the data be protected in the same fashion.

The Department will aggregate the individual student data received through Project EASIER to complete state and federal reporting requirements including:

> Performance Based Data Management Initiative (PBDMI)
> Common Core Data (CCD)
> Condition of Education Report
> State No Child Left Behind Reports (AYP)

Data collected by the Student Identification/Locator System will not be used for federal or state reporting.

Agency Data Sharing
The Department will not grant access to the statewide Student Identification/Locator System to other state agencies. The Department will not share individual student data with other state agencies. The Department will comply with requests for individual student data from federal governmental agencies as required by law.

Researchers
The Department will not provide confidential student information to researchers. Requests for non-confidential data will be considered if the researcher's proposal is approved by the chief of the Bureau of Planning, Research and Evaluation; a clear legitimate educational interest is established; and it is clearly stated that personally identifiable information if discovered is not disclosed to anyone other than the initiator of the request and the bureau chief. The researcher must provide a description of the research, including research plan, staffing and funding source and provide documentation indicating that the research project has been approved by the Human Subjects Board at the college/university.

Final approval will be made by the director of the Iowa Department of Education.

Public
The Department will not provide individual student data to the general public.

Improper Disclosure of Student Records

The chief of the Bureau of Planning, Research and Evaluation has the responsibility for determining whether a request for access to the student records constitutes a legitimate request for an appropriate usage of student data. If the request does not meet standards established by DE for the appropriate release of student data, then the chief of the Bureau of Planning, Research and Evaluation will deny the request.

The chief of the Bureau of Planning, Research and Evaluation is also responsible for determining if personally identifiable information has been inappropriately disclosed by an Iowa official or a third party allowed use of the data in violation of this policy. If the disclosure is made by an Iowa official in violation of federal code, the official may be subject to removal or impeachment and may be guilty of a Class III misdemeanor. If an improper disclosure is made by someone other than an Iowa official, then the parties will not have access to any data reporting/database information for five years as required by FERPA. In addition, all violations will be reported to the appropriate federal and state enforcement agencies.

Ownership of the Data

School districts or other primary sources of the data that are located in the data reporting/database are the originators and owners of those data. The chief of the Bureau of Planning, Research and Evaluation functions as the custodian of the data in the DE. In order to protect the data in its custody, the DE has established this policy which is implemented by the chief of the Bureau of Planning, Research and Evaluation. The policy ensures that all data are securely maintained with safeguards on all personally identifiable information in the data reporting/database.

STUDENT IDENTIFICATION/LOCATOR SYSTEM ASSURANCE STATEMENT

Individual student information contained in the Iowa Department of Education's Student Identification/Locator System is collected for the purpose of generating unique student identification numbers. The data are protected by state and federal laws and must be maintained in a confidential manner at all times.

As an employee of a local school district, AEA, or the Iowa Department of Education, that has access to records in the Student Identification/Locator System, you are required to maintain this information in a confidential manner. The unauthorized access to, modification, deletion or disclosure of information from the Student Identification/ Locator System may compromise the integrity of the system, violate individual student rights of privacy, and/or constitute a criminal act and subject the employer to a loss of federal funds.

Unauthorized viewing, reproduction/copying, and/or distribution of any student record or information outside the intended and approved use of the Student Identification/Locator System is strictly prohibited. Users violating the authorized use of the Student Identification/Locator System will lose access privileges to the system. Illegal access or misuse of this information may also be punishable by fine and/or imprisonment.

I have received and read the Iowa Department of Education's Data Access and Management Policy for the Iowa Student Identification/Locator System and Project EASIER Student Records.

I acknowledge and agree to the above requirements.

District/Organization Name: _____

Security Level Access to be Granted: _____ Building   _____ District

District Employee Name (print): _____

District Employee Signature: _____

District Employee Phone Number: _____

District Employee E-mail: _____

Date: _____

Superintendent Signature: _____

Date: _____

Please fax to: 1-515-281-8777

For Department of Education Use

Password Assigned: _____